

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

TRANSFERRING BOUND PRINTED MATTER
PARCELS TO THE COMPETITIVE PRODUCT
LIST

Docket No. MC2021-78

UNITED STATES POSTAL SERVICE NOTICE OF FILING ATTACHMENT UNDER
SEAL AND MOTION FOR NON-PUBLIC TREATMENT OF RESPONSES TO
QUESTIONS 3b AND 4a OF CHAIRMAN'S INFORMATION REQUEST NO. 2
(April 23, 2021)

The United States Postal Service hereby provides notice that it is filing
Attachment A to its responses to Chairman's Information Request No. 2, Questions 3b
and 4a, under seal. A redacted version of Attachment A is filed with the responses. The
non-public, unredacted version of Attachment A is uploaded to the Non-public USPS to
PRC folder on the United States Postal Service Secure Large File Transfer Web
Application portal. An application for non-public treatment follows.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Nabeel R. Cheema,
Chief Counsel, Pricing & Product Support

Michael Gross

475 L'Enfant Plaza, S.W.
Washington, D.C. 20260-1101
(202) 268-6915
Michael.I.Gross@usps.gov
April 23, 2021

APPLICATION OF THE UNITED STATES POSTAL SERVICE FOR NON-PUBLIC TREATMENT OF MATERIALS

In accordance with 39 C.F.R. §§ 3011.200 - 3011.203, the United States Postal Service applies for non-public treatment of the information filed under seal as "NP Attachment A MC2021-78 ChIR No. 2 Qs 3b 4a.pdf." The justification for this application required by 39 C.F.R. § 3011.201(b) follows.

(1) The rationale for claiming that the materials are non-public, including the specific statutory provision(s) supporting the claim, and an explanation justifying application of the provision(s) to the materials;

The material in question consists of non-public commercial information that would not be disclosed under good business practices. Based on its longstanding and deep familiarity with the postal business, its markets, and its competitors, the Postal Service does not believe that it or any competing enterprise would voluntarily publish this information out of a concern that doing so would be used by competitors to its commercial detriment. As such, this information is exempt from mandatory disclosure pursuant to 39 U.S.C. § 410(c)(2) and 5 U.S.C. § 552(b)(3).

(2) A statement of whether the submitter, any person other than the submitter, or both have a proprietary interest in the information contained within the non-public materials ... and the identification of an individual ... to accept actual notice of a motion related to the non-public materials....

The Postal Service has a proprietary interest in the information filed under seal. The Postal Service is not aware of any third party with a proprietary interest in the information and will update this application if it becomes aware of any third party with an interest. The individual designated to accept notice of any motion regarding this

information is Michael Gross, Attorney, Pricing and Product Compliance; 202-268-6915; Michael.I.Gross@usps.gov.

(3) A description of the information contained within the materials claimed to be non-public in a manner that, without revealing the information at issue, would allow the Commission to thoroughly evaluate the basis for the claim that the information contained within the materials are non-public;

NP Attachment A MC2021-78 ChIR No. 2 Qs 3b 4a.pdf consists of a one-page pdf document, labeled as Attachment A in the Postal Service's responses to Chairman's Information Request No. 2, Questions 3b and 4a. The attachment contains volume and revenue forecasts for BPM Parcels under various pricing scenarios.

(4) Particular identification of the nature and extent of the harm alleged and the likelihood of each harm alleged to result from disclosure;

Disclosure of confidential product pricing, revenue, and volume information is regarded as posing a substantial risk of commercial harm. The Postal Service believes that its competitors do not disclose this information customer shipping volume information either.

If the information in Attachment A were disclosed, the Postal Service would likely be placed at a competitive disadvantage and suffer substantial harm. Quite simply, competitors could use the information in Attachment A to direct their sales and marketing efforts at winning the business of customers that use BPM Parcels.

(5) At least one specific hypothetical, illustrative example of each alleged harm;

Hypothetical: Attachment A is released, and the Postal Service's internal projections of pricing, volume, and revenue information for BPM Parcels become publicly known. This would allow competitors' analysts to assess the relative profitability of their own services on a per-piece basis. Competitors' sales and marketing teams would make specific efforts at winning business by providing targeted, preferential pricing. Release of the information in Appendix A may also inform competitors' broader marketing and product decisions, also to the Postal Service's competitive detriment.

Harm: The Postal Service suffers significant commercial harm in the form of lost business.

Hypothetical: Attachment A is released, and the Postal Service's internal projections of pricing, volume, and revenue information for BPM Parcels become publicly known. This interferes with the negotiation or renegotiation of Negotiated Service Agreements with customers present and future.

Harm: The Postal Service suffers significant commercial harm in the form of lost business.

(6) The extent of protection from public disclosure deemed to be necessary;

The Postal Service maintains that the portions of the materials filed non-publicly should be withheld from all persons involved in decision-making for competing providers of delivery services, as well as their agents, consultants, and attorneys.

(7) The length of time for which non-public treatment is alleged to be necessary with justification thereof; and

Ten years. Non-public materials lose non-public status ten years after the date of filing with the Commission, unless otherwise provided by the Commission. 39 C.F.R. § 3011.401(a).

(8) Any other factors or reasons relevant to support the application.

None.

Conclusion

For the reasons discussed, the Postal Service asks that the Commission grant its application for non-public treatment of Attachment A.